

APPROPRIATION LINE ITEM AND BOILERPLATE HISTORY

JUDICIARY
PART 1: LINE ITEM DETAIL

2022 PA 166
FY 2022-23
Initial

Sec. 101. APPROPRIATION SUMMARY

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| 1. | <u>Full-time equated (FTE) exempted positions</u> - Positions that are exempted from the classified State civil service pursuant to Article XI, Section 5 of the Michigan Constitution. These positions include elected officials, heads of principal Departments, a limited number of policy-making positions in Departments, members of boards and commissions, employees of State institutions of higher education, employees of the Judiciary, and employees of the Legislature. | 537.0 |
| 2. | <u>GROSS APPROPRIATION</u> - Total appropriations | \$483,505,700 |
| 3. | <u>Interdepartmental grants (IDG)</u> - Funds that are also appropriated in other budgets. These funds are categorized as IDGs in the Department that spends the funds and are therefore subtracted from the Gross Appropriation to avoid double counting total statewide appropriations. | 1,902,300 |
| 4. | <u>ADJUSTED GROSS APPROPRIATION</u> - Gross appropriations less IDGs. | 481,603,400 |
| 5. | <u>Federal revenue</u> - Funding allocated to the State by the Federal government. | 6,340,300 |
| 6. | <u>Local revenue</u> - Funds paid by local units of government that support State services and programs. | 7,782,600 |
| 7. | <u>Private revenue</u> - Available appropriated funds from private sources, including funding from non-governmental agencies. | 1,524,200 |
| 8. | <u>State restricted revenue</u> - Revenue earmarked for a specific purpose by the State Constitution, statute, or appropriation bill. Restricted revenue also includes special purpose funds, such as fee revenue used to support licensing programs. | 95,181,400 |
| 9. | <u>State general fund/general purpose</u> - Revenue that has no constitutional or statutory restrictions on how it is used. Approximately 90% of the general fund/general purpose (GF/GP) revenue is derived from the income, single business, insurance, sales, and use taxes. | 370,774,900 |
| 10. | <u>Payments to locals</u> - State appropriations from GF/GP or State restricted revenues that will be allocated to local units of government. | 150,357,800 |

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Sec. 102. SUPREME COURT

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| 1. | <u>Community dispute resolution</u> | \$3,370,400 |
| | Exempted FTE positions | 3.0 |
| | <p>The Community Dispute Program was created by Public Act 260 of 1988 to provide conciliation, mediation, or other forms and techniques of voluntary dispute resolution as an alternative to the judicial process. By statute, 5.2% of court filing fee revenues sent to the Civil Filing Fee Fund provides funding for the program. The program also receives \$85,000 in private funds, annually. The line included an increase of \$450,000 GF/GP for FY 2019-20 for expansion of online dispute resolution.</p> | |
| 2. | <u>Direct trial court automation support</u> | 7,782,600 |
| | Exempted FTE positions | 44.0 |
| | <p>This appropriation funds computer support services to trial courts, primarily related to case management software that is used by approximately 75 percent of the courts in the state. Local units of government pay fees for State services, which include software, programming, training, and other support services.</p> | |
| 3. | <u>Drug treatment courts</u> | 12,648,200 |
| | <p>State funding for drug courts began through a supplemental appropriation bill (1999 PA 137) in FY 1998-99. The program is administered by the State Court Administrative Office (SCAO). Drug treatment courts handle cases involving substance abusing nonviolent offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives. The line is supported by State General Fund, Federal Byrne Justice Assistance Grants through an interdepartmental grant from the Department of State Police, and the Drug Court Fund, which receives a percentage of funds collected by the Justice System Fund. The line received an ongoing increase of \$400,000 GF/GP for FY 2021-22 and an ongoing increase of \$165,200 for FY 2022-23 for economics.</p> | |
| 4. | <u>Foster care review board</u> | 1,386,800 |
| | Exempted FTE positions | 10.0 |
| | <p>Public Act 422 of 1984 created the Foster Care Review Board in the State Court Administrative Office (SCAO). Local boards review placement plans for children in foster care, review progress reports every six months to determine whether the purpose for which the child was placed in foster care is being achieved, and review requests of the courts or interested parties.</p> | |

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5.	<u>Jail reform advisory support</u>	153,900
	Exempted FTE positions	1
	<p>The line provides administrative support for the Jail Reform Advisory Council, which was created by Executive Order 2021-5 and is currently housed in the Department of Management and Budget. The Council is currently chaired by the Chief Justice of the Supreme Court and is tasked with facilitating, assisting, monitoring, and evaluating the successful implementation of jail reform legislation throughout the state.</p>	
6.	<u>Judicial information systems</u>	5,757,800
	Exempted FTE positions	24.0
	<p>This line item funds technology and automated system support for Supreme Court entities and trial courts. The JIS also provides automated reporting services for trial courts that use JIS software. JIS has developed data standards for all courts. FTE positions increased by 2 for FY 2019-20 and funding was increased \$454,100 for cybersecurity and website upgrades. For FY 2021-22 GF/GP funding was increased by \$200,000 for the MI Legal Help Program and by \$605,000 for Clean Slate Implementation.</p>	
7.	<u>Judicial institute</u>	2,496,800
	Exempted FTE positions	13.0
	<p>The Judicial Institute was created by the Court in 1977 to develop and provide training programs for judges and court staff. The Institute produces publications, CDs, and video as part of its distance-learning program. A library of archived webcasts can be found at http://ustools.you-niversity.com/youtools/companies/mji/archivesLayout2.html. The Institute also operates the Hall of Justice Learning Center. The line included an MI Justice Training grant of \$100,000 for FY 2021-22. The baseline appropriation was increased \$335,300 for FY 2022-23 for mandatory judicial continuing education, which was implemented by State Court Administrative Order 2021-7. Effective 1-01-2024, Michigan judges will need 24 hours of CE every 2 years, of which 6 hours must be about judicial ethics.</p>	
8.	<u>Mental health courts and diversion services</u>	5,708,400
	Exempted FTE positions	1.0

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Mental health courts were first funded in FY 2008-09, when \$550,000 (money available via ARRA) was included in the Judiciary budget to begin mental health court pilot projects (note: a coinciding appropriation of \$1.1 million for the same project was made for Department of Community Health). However, in 2009-10, the funding was not continued, and the line remained at zero during FY 2010-11 and FY 2011-12. In FY 2012-13, \$1.0 million was included for mental health courts to build on what the pilot programs had established and to expand to additional areas (the funding was included in the SCAO line item). As part of the Governor's Public Safety Initiative, a supplemental added another \$1.1 million to the program, bringing the total to \$2.1 million for FY 2012-13. In FY 2013-14, mental health courts were given a separate line item and another \$2.0 million was added to the line to bring it up to \$4.1 million. In FY 2014-15, \$1.730 million in Federal funding was added. In FY 2015-16, 'and diversion services' was added to the line item amounts. For FY 2021-22 the line exceeded \$5.5 million, all of it with GF/GP. The baseline appropriation was increased by \$133,000 for FY 2022-23 for economics.

9. Next generation Michigan court system 4,116,000

In FY 2014-15 moved funding from "One-time" to "On-going for the implementation of the Michigan Court System (MiCS) unified case management system. The line was reduced by \$1.4 million for FY 2019-20 mid-year budget cuts due to COVID-19 and restored to prior year funding levels for FY 2020-21.

10. Other Federal grants 275,100

This line item includes various small Federal grants for training programs, evaluations, benchbook development, or updating, and other projects.

11. State court administrative office 12,919,900

Exempted FTE positions 65.0

Article VI, Section 3, of the Michigan Constitution provides that the Supreme Court shall appoint an administrator of the courts and other assistants of the Supreme Court as may be necessary to aid in the administration of the courts of this State. The administrator performs administrative duties assigned by the Supreme Court. This line item also includes funding for the State Friend of the Court Bureau, Trial Court Services, Regional Administration, Court of Claims/State Litigation reimbursement, the Court Improvement Project, Access and Visitation Grants, and other grant programs. The baseline for the this line was increased by \$1,050,000 and 2 FTEs for FY 2022-23 for the Justice for All initiative to expand self-help centers.

12. Supreme court administration 15,538,700

Exempted FTE positions 92.0

The funding in this line item supports costs of Supreme Court Justices' staff, the Office of the Chief Justice, Supreme Court Counsel, Human Resources, Finance Division, Office of the Clerk, Court Crier's Office, Public Information Office, Board of Law Examiners, Reporter of Decisions Office, and the Supreme Court Commissioners' Office. Pursuant to the Michigan Constitution, the Supreme Court

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has general superintending control over all courts; power to issue prerogative and remedial writs; and appellate jurisdiction as provided by Supreme Court rules. The line was restored by \$1,005,900 for FY 2022-23 after pandemic-related cuts from FY 2020-21.

13. Swift and sure sanctions program 3,350,000

The program began with a pilot for \$1.0 million in FY 2011-12. Funding was then boosted by \$5.0 million in FY 2012-13 to bring total funding to \$6.0 million. As part of the funding increase, there was also a fund shift by which \$1.6 million in Court of Appeals filing/motion fees was shifted to support this line, while the Court of Appeals was then made whole with GF/GP dollars. Funding level remained unchanged at \$6.0 million in FY 2014-15. Funding was decreased to \$4.25 million in FY 2015-16, \$4.0 million in FY 2016-17, \$3.6 million for FY 2019-20, and \$3.4 million for FY 2020-21.

14. Veterans courts 1,061,200

Funding for Veterans Courts was first included in FY 2013-14. Veterans' Courts had not previously received State support; however, as many as 8 or 9 Veterans' Courts existed across the State with a combination of local, Federal, and private support. Funding supports currently existing courts and allows for additional Veterans' Courts to be created. As of FY 2020-21, there are 27 Veterans Courts throughout the state in Circuit and District courts. The line was increased an additional \$100,000 GF/GP beginning in FY 2021-22, and by \$24,800 for FY 2022-23 for economics.

Unit Gross Appropriation \$72,567,800

IDG from Department of Corrections	52,300
IDG from Department of State Police	1,500,000
IDG from Department of State Police, Michigan Justice Training Fund	100,000
Federal revenues:	
DOJ, drug court training and evaluation	300,000
DOT, National Highway Traffic Safety Administration	1,950,700
HHS, access and visitation grant	498,900
HHS, children's justice grant	247,500
HHS, court improvement project	962,600
HHS, state opioid response grant	351,200
HHS, title IV-D child support program	857,200
HHS, title IV-E foster care program	320,100
Other Federal grant revenues	275,100

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Special revenue funds:

Local – user fees	7,782,600
Private	501,100
Private – interest on lawyers trust accounts	405,700
Private – state justice institute	529,000
Community dispute resolution fund	2,406,300
Court of appeals filing/motion fees	1,450,000
Drug court fund	1,920,500
Justice system fund	619,800
Law exam fees	777,900
Miscellaneous revenue	249,400
State court fund	408,600
State general fund/general purpose	52,099,300

Sec. 103. COURT OF APPEALS

1. <u>Court of appeals operations</u>	\$26,161,000
Exempted FTE positions	175.0

The Court of Appeals is provided for in Article VI of the Michigan Constitution of 1963. It originally consisted of nine judges and currently has 28 judges. The Court of Appeals has courtrooms and offices in Lansing, Detroit, and Grand Rapids. An office in Southfield was opened in 1994 and moved to Troy in 2004. The jurisdiction of the Court of Appeals is provided by law. In FY 2012-13 the Court of Appeals budget became entirely funded by GF/GP dollars. The Court of Appeals filing and motion fees, which were previously a part of the fund sources for this unit, have been transferred to the Supreme Court unit to support the Swift and sure sanctions program grants. The restricted revenue of the filing and motion fees was being collected at a level much lower than the appropriated amount, which was causing a deficit in the Court of Appeals funding, so switching this item to all GF/GP funding remedied this issue. The Swift and sure sanction grant program was more discretionary in nature, so would have an easier time absorbing the potential shortfall of the restricted fund source.

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Unit Gross Appropriation	\$26,161,000
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Appropriated from:

State general fund/general purpose	26,161,000
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Sec. 104. BRANCHWIDE APPROPRIATIONS

1. <u>Branchwide appropriations</u>	\$9,010,100
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Exempted FTE positions	4.0
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This funding unit was created in FY 2002-03 to consolidate branchwide costs including building occupancy charges, rent, workers compensation, and security costs.

Unit Gross Appropriation	\$8,861,500
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State general fund/general purpose	8,861,500
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Sec. 105. JUSTICES' AND JUDGES' COMPENSATION

Full-time judges positions	589.0
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1. <u>Supreme court justices' salaries</u>	\$1,270,500
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This line item funds the salaries of seven Supreme Court Justices. Salaries are set by the State Officers Compensation Commission pursuant to Article IV, Section 12 of the Michigan Constitution. The current salary is \$164,610. This salary has remained unchanged since 2002.

2. <u>Circuit court judges' state base salaries</u>	27,065,800
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Circuit judge positions increased by 1 in FY 2019-20 for a total of 217. They increased by 4 in FY 2022-23 for a total of 221.

3. <u>Circuit court judicial salary standardization</u>	10,059,700
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Payment to local unit to reimburse their contribution to a judge's salary. Beginning January 1, 1997, the State reimbursed the total amount paid by the local unit.

4. <u>Court of appeals judges' salaries</u>	4,566,500
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Appeals judges positions decreased by 2 in FY 2019-20 for a total of 25.

5. <u>District court judges state' base salaries</u>	28,081,600
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District judge positions decreased by 1 in FY 2021-22 for a total of 234. They

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decreased by 2 in FY 2022-23 for a total 232.

6.	<u>District court judicial salary standardization</u>	10,608,600
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Payment to local unit to reimburse their contribution to a judge's salary. Beginning January 1, 1997, the State reimbursed the total amount paid by the local unit.

7.	<u>Probate court judges' state base salaries</u>	12,661,200
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The total salary (State base and standardization payment) as of October 1, 2018, is \$148,469 for 103 probate judges. The number of probate judges increased by 1 in FY 2022-23 for a total of 104.

8.	<u>Probate court judicial salary standardization</u>	4,703,900
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Payment to local unit to reimburse their contribution to a judge's salary. Beginning January 1, 1997, the State reimbursed the total amount paid by the local unit.

9.	<u>Judges' retirement system defined contribution</u>	6,178,000
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This line item funds the employer's contribution (up to seven percent of the justices and judges salaries) for members of the defined contribution retirement system.

10.	<u>OASI, social security</u>	7,118,600
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Employer's share of social security and Medicare costs.

Unit Gross Appropriation	\$112,314,400
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Court fee fund	1,970,800
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State general fund/general purpose	110,343,600
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Sec. 106. JUDICIAL AGENCIES

1.	<u>Judicial tenure commission</u>	\$2,423,000
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Exempted FTE positions	10.0
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Article VI, Section 30 of the Michigan Constitution provides for the Judicial Tenure Commission. The Supreme Court may censure, suspend (with or without pay), retire, or remove a judge based on the recommendation of the Judicial Tenure Commission. The line was increased by \$100,000 in both FY 2019-20 and FY 2020-21 to address backlog and salary adjustments. One FTE was added to address the backlog for FY 2021-22. FY 2022-23 saw a larger increase of 2 FTEs and \$839,200 to address the backlog.

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Unit Gross Appropriation	\$2,423,000
State general fund/general purpose	2,423,000

Sec. 107. INDIGENT DEFENSE – CRIMINAL

1. <u>Appellate public defender program</u>	\$10,161,400
Exempted FTE positions	62.0

Public Act 620 of 1978 created the Appellate Defender Commission within the Office of the State Court Administrator. Members of the Commission are appointed for terms of four years and receive no salary. The Commission appoints the State Appellate Defender. The Appellate Defender appoints a deputy, assistant defenders, and support personnel. The Appellate Defender conducts appeals of felony convictions, or other post-conviction remedies, from cases assigned by a court of record. The statute requires the Appellate Defender Office to handle not less than 25% of the total criminal defense appellate cases for indigents pending before the appellate courts of Michigan. The line was increased by \$1.2 million and 6 FTEs for FY 2022-23 to address several needs, including funding for additional administrative expenses, the wrongful prosecution unit, and an economics increase.

Unit Gross Appropriation	\$10,161,400
IDG from MSP	250,000
Federal funds	577,000
Private – interest on lawyers' trust accounts	88,400
Miscellaneous revenues	172,400
State general fund/general purpose	9,073,600

Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE

1. <u>Indigent civil legal assistance</u>	\$7,937,000
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Pursuant to Public Act 189 of 1993 (MCL 600.151a), 23 percent of the State Court Fund is allocated for indigent civil legal assistance. The State Court Administrative Office allocates funds to legal service organizations based upon recommendations of the State Bar Foundation. The State Bar Foundation receives one percent of the distribution, limited to \$40,000, for performing its duties under MCL 600.1485. The first appropriation for Indigent Civil Legal Assistance from the State Court Fund was in FY 1993-94.

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Unit Gross Appropriation	\$7,937,000
State court fund	7,937,000
State general fund/general purpose	0

Sec. 109. TRIAL COURT OPERATIONS

1. <u>Court equity fund reimbursements</u>	\$60,815,700
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The Court Equity Fund was created by Public Act 374 of 1996. It receives revenue from a variety of sources including the Justice System Fund, the Civil Filing Fee Fund, and the State Court Fund (civil infractions, misdemeanors, felonies, filing fees and other fees) and up to \$2,200,000 of the Court Fee Fund (excess Judges' Retirement System funds). Distributions to counties from the Court Equity Fund are through a formula based on case filings in circuit and probate courts and the number of circuit, probate and district court judges. This distribution replaced former State funding of trial court costs contained in Public Acts 438 through 440 of 1980 and Public Act 189 of 1993.

2. <u>Drug case-flow program</u>	250,000
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Public Act 359 of 1993 created the Drug Case Information Management Fund (MCL 257.323d). The Fund receives \$30 of the \$125 driver license reinstatement fee for cases involving suspension of driver's licenses due to violations of the Controlled Substances Act. The Fund, after allocation of SCAO administrative costs, is annually distributed to circuit, probate, and district courts based on their percentage share of controlled substances cases. The purpose of the fund is to help defray costs of timely management, and reporting to the Secretary of State, of information concerning substance abuse cases.

3. <u>Drunk driving case-flow program</u>	3,300,000
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Public Act 98 of 1991 created the Drunk Driving Caseflow Assistance Fund (MCL 257.625h(5)). The Fund receives \$30 of the \$125 driver license reinstatement fee for suspensions related to drunk driving offenses. The Fund, after allocation of SCAO administrative costs, is annually distributed to district and municipal courts based on their percentage share of cases under MCL 257.625 and 257 625m. The purpose of the Fund is to promote the timely disposition of cases involving drunk driving.

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| 4. | <u>Judicial technology improvement fund</u> | 4,815,000 |
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The Judicial Technology Improvement Fund was created by Public Act 78 of 2003. The SCAO administers the judicial technology improvement fund. Money from the fund shall be expended for the development and ongoing support of a statewide judicial information system. The Court, working with the departments of State Police, Corrections, Information Technology, and Secretary of State and with the Prosecuting Attorneys Association of Michigan, uses statewide telecommunications infrastructure to integrate criminal justice information systems. The Judicial Technology Improvement Fund is used to pursue technology innovations that will result in enhanced public service and access to local trial courts.

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| 5. | <u>Juror compensation reimbursement</u> | 6,610,300 |
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Exempted FTE positions	1.0
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This line was added in FY 2003-04. Funding came from increased jury demand and driver license clearance fees enacted in 2002, which were used to reimburse counties for increased juror compensation required by Public Act 739 of 2002. In FY 2019-20, statewide pretrial incarceration reform removed revenue for this line from driver license clearance fees. An existing balance within the fund allows for FY 2020-21, but the balance is expected to run out by FY 2022-23.

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| 6. | <u>Statewide e-file system</u> | 11,853,400 |
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Exempted FTE positions	25.0
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This line was new in FY 2015-16. The funding is intended to begin the process of rolling out a statewide e-file system which goal is to make all filing electronic in the State. The funding is sourced from electronic filing fees for all filed court documents. 5.0 FTE positions were added to the line in FY 2017-18. Revenue from the e-file system increased \$1.7 million in PA 56 of 2019. Seven FTEs to accompany this funding were added by PA 166 of 2020; these FTEs were included for FY 2021-22, as was an additional \$821,800 of the electronic filing fee fund to help implement the statewide eFile system. Another 5 FTEs and \$746,100 was added for FY 2022-23.

Unit Gross Appropriation	\$87,644,400
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Court equity fund	50,440,000
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Drug fund	250,000
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Drunk driving fund	3,300,000
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Electronic filing fee fund	11,853,400
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Judicial technology improvement fund	4,815,000
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Juror compensation fund	6,610,300
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State general fund/general purpose

10,375,700

110. ONE-TIME BASIS ONLY APPROPRIATIONS

1. Compliance with *Montgomery v Louisiana* decision

\$939,100

Exempted FTE positions

7.0

Line created in FY 2016-17. The funding was to ensure compliance with the Supreme Court decision in Montgomery v Louisiana 577 US ____ (2016) by providing competent and well trained post-conviction representation of approximately 131 juvenile lifers in resentencing hearings. Funding has remained in one-time and increased from \$700,000 to \$841,900 in FY 2019-20, to \$881,100 in FY 2020-21, to \$939,100 in FY 2021-22, and to \$962,900 for FY 2022-23.

2. Judicial Tenure Commission

249,300

A one-time appropriation for FY 2021-22 for the JTC to hire contract attorneys to assist with the judicial complaint backlog and to argue on behalf of the JTC before the Supreme Court.

3. Judicial workload assessment

225,000

One-time GF/GP was included for FY 2022-23 for the Administrative Office to contract for an assessment of judicial workloads. The assessment will assist the court in the production of a Judicial Resources Recommendation (JRR), the last of which was issued in 2019. The JRR makes recommendations for increasing or decreasing judicial positions at the trial court level, including circuit, district, and probate court judges.

4. Statewide Judicial Case Management System

150,000,000

This one-time, work project appropriation is intended to help the SCAO office overhaul the computer systems for local courts across the state. While most local courts use the JIS system managed by the SCAO, several counties do not, including some of the state's larger counties. The appropriation will assist the SCAO in getting all courts onto the same file management system, a logistic necessity for many statewide reforms that have come about in recent years (raise the age, expungement expansion, justice for all) The project will take several years to complete.

Unit Gross Appropriation

\$151,437,200

State general fund/general purpose

151,437,200

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Section Number	Description and History
201	<p><u>State Spending/Payments to Locals.</u> This section itemizes total State spending and payments to local units of government contained in Act.</p> <p>Background: Standard boilerplate section contained in all appropriation bills pursuant to 1984 PA 431. Statutory Reference MCL 18.1367.</p>
202	<p><u>DTMB Act/Expenditure Authorizations.</u></p>
202(1)	<p>The appropriations authorized under this Act are subject to the Management and Budget Act (1984 PA 431, MCL 18.1101 to 18.1594).</p>
202(2)	<p>Delineates the transfer and expenditure approval process for the Judiciary.</p> <p>Background: Subsection 1 is a standard section contained in all appropriation bills. The first version of this section was contained in FY 1981-82 General Government Appropriation Bill. The former section provided that appropriations were subject to Act 18 of 1981. Act 18 was repealed by 1984 PA 431.</p>
203	<p><u>Definitions.</u> Definition of acronyms contained in Act.</p> <p>Background: Standard section contained in all appropriation bills.</p>
204	<p><u>Internet Reports.</u> Requires use of the internet to fulfill reporting requirements and requires electronic mail transmission of reports to identified recipients along with placement of reports on the internet or intranet.</p> <p>Background: A version of this section was first included in the FY 1999-2000 Appropriation Bill. Section number changed from 208 in FY 2017-18. Was amended in FY 2020-21 to require email transmission of reports.</p>
205	<p><u>Blanket Reporting Procedure.</u> Requires that all reports required in part II be submitted to the House and Senate appropriations subcommittees on Judiciary, SFA, HFA, and the State Budget Office.</p> <p>Background: First added for FY 2022-23. The addition of this section allows for the deletion of reporting recipients in other boilerplate sections throughout the Article.</p>
206	<p><u>Buy American Intent Language.</u> Prohibits use of appropriations for purchase of foreign goods or services when competitively priced American goods or services of comparable quality are available. It also gives preference to the purchase of Michigan goods and services if competitively priced and of comparable quality. Also gives preference to goods or services provided by Michigan businesses owned and operated by veterans.</p> <p>Background: Standard section in most appropriation bills; first included in the FY 1992-93 General Government Appropriation Bill. Section number changed from 214 in FY 2017-18. Changed again from 205 in FY 2022-23</p>
207	<p><u>Out of State Travel Report.</u> Requires a report listing all out of state travel by Judiciary employees that was funded in whole or in part by the funds appropriated in the judicial branch budget. The required information of the report includes the date of each travel occurrence, the total costs of each travel occurrence, and the proportion from each fund source.</p>

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Section Number	Description and History
	<p>Background: First added in FY 2004-05 as a restriction on out of state travel. In FY 2012-13 it was altered to remove the restriction on out-of-state travel but continue to require the report. Section number changed from 215 in FY 2017-18.</p>
208	<p><u>Lapse Estimates.</u> Requires the state budget office to prepare a report by November 30 listing estimates of general fund lapses.</p> <p>Background: First included in 2009-10. Original language required the judiciary to repair the report. In FY 2013-14, language was revised to state the State budget office shall prepare the report. Section number changed from 219 in FY 2017-18. Section number changed from 209 for FY 2022-23.</p>
209	<p><u>Expenditures on the Internet.</u> Requires the judicial branch to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the judicial branch.</p> <p>Background: First included in 2009-10. Section number changed from 221 in FY 2017-18. Section number changed from 211 for FY 2022-23.</p>
210	<p><u>Restricted Fund Balances Report.</u> The judicial branch shall cooperate with the state budget office to provide a report on estimated restricted fund balances, projected revenues, and anticipated expenditures.</p> <p>Background: Language first included in FY 2011-12 as a section standard across most or all appropriations bills. Section number changed from 222 in FY 2017-18. Section number changed from 212 for FY 2022-23.</p>
211	<p><u>Metrics Scorecard Website.</u> The judiciary shall maintain a scorecard that identifies key performance metrics and this scorecard shall be posted on a publically accessible website.</p> <p>Background: Language first included in FY 2013-14 as part of standard language that the Governor proposed to include in multiple budgets. Section number changed from 223 in FY 2017-18. Section number changed from 213 for FY 2022-23.</p>
212	<p><u>Legacy Cost Reporting.</u> This section reports the total legacy costs for the judicial branch including the separately reported pension and healthcare costs.</p> <p>Background: Language first included in FY 2014-15 as part of standard language that the Governor proposed to include in multiple budgets. Section number changed from 224 in FY 2017-18. Section number changed from 214 for FY 2022-23.</p>
213	<p><u>Communication with the Legislature.</u> The judicial branch shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff, unless the communication is otherwise prohibited by law.</p> <p>Background: First included in FY 2005-06, added by the Senate. Section number changed from 204 in FY 2017-18. Declared unenforceable by the Governor for FY 2019-20. Amended for FY 2020-21 to allow for disciplinary action when the communication is prohibited by law. Section declared unenforceable for FY 2021-22. Section number changed from 215 for FY 2022-23. Not declared unenforceable for FY 2022-23.</p>
214	<p><u>Swift and Sure Interagency Agreement.</u> Judicial branch shall establish a shall establish an interagency agreement with the Department of Human Services, Department of Corrections, and Department of Talent and Economic Development linking the swift and sure sanctioning program with the Michigan rehabilitative services program.</p>

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Section Number	Description and History
	<p>Background: First included in FY 2014-15, added by the Senate. Section number changed from 211 in FY 2017-18. Revised to include the Department of Talent and Economic Development in FY 2018-19. Section number changed from 218 for FY 2022-23.</p>
215	<p><u>Retention of Reports.</u> Requires the judicial branch to receive and retain copies of all reports funded from appropriations in part 1 and to follow state and Federal guidelines for retentions of such reports.</p> <p>Background: First included in FY 1999-2000. Section number changed from 212 in FY 2017-18. Section number changed from 219 for FY 2022-23.</p>
301	<p><u>Direct Trial Court Automation.</u> The direct trial court automation support program of the state court administrative office shall recover direct and overhead costs from trial courts by charging for services rendered. The fee shall cover the actual costs incurred to the direct trial court automation support program in providing the service.</p> <p>Background: First included in FY 1984-85 under the Judicial Data Center. According to the Supreme Court Finance Department, user charges historically do not exceed the appropriation contained in Part 1 of the budget bill.</p>
302	<p><u>Supreme Court Approval of Expenditures.</u> Provides that funds appropriated to the judicial branch are not to be expended without approval from the Supreme Court.</p> <p>Background: First included in FY 1988-89.</p>
303	<p><u>Court of Claims/State Litigation.</u> Allocates funding for the operation costs of the Court of Claims and operation costs associated with State litigation.</p> <p>Background: First included in FY 1988-89 when separate line items these appropriations were eliminated. Revised in 2014-15 to specifically identify how to allocate to the Court of Claims.</p>
304	<p><u>Judicial Data Warehouse Data.</u> Requires data from the Judicial Data Warehouse to be made available to the public upon request, subject to restrictions.</p> <p>Background: First included in FY 2017-18, added by the Senate.</p>
305	<p><u>Community Dispute Resolution.</u> Requires that funds appropriated to community dispute resolution centers provide dispute resolution services to reduce school suspensions and truancy.</p> <p>Background: First included in FY 2018-19, added by the House.</p>
306	<p><u>Mental Health Courts and Diversion services.</u> This section directs the amount of funding to be allocated for the Mental Health and Diversion Council.</p> <p>Background: First included in FY 2014-15 on the recommendation of the Governor. Section number changed from 307 for FY 2022-23.</p>
307	<p><u>Court Fee Fund Shortage.</u> Provides for automatic appropriation of general fund revenue for judges' salaries if sufficient funds are not available in the Court Fee Fund to meet the appropriation from that revenue source.</p>

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	<p>Background: First included in FY 1997-98 when Court Fee Fund revenue was first used as a source of funding for judicial salaries. There had not been a Court Fee Fund shortfall from 1997-98 until FY 2011-12, FY 2012-13, and FY 2013-14. A supplemental in 2011-12 provided \$1.8 million in general fund to cover a shortfall, and at the same time the FY 2012-13 budget was revised upward by \$2.2 million (or \$400,000 above the YTD after the supplemental). A supplemental, P.A. 102 of 2013 (H.B. 4112), provided an additional \$820,000 to cover the shortfall for FY 2012-13 (beyond the \$2.2 million that had already been provided during the development process). During the conference of FY 2013-14 budget process \$1,902,100 in general fund dollars was included to cover the shortfall. In FY 2015-16, clause added to notify when allocations are made under this section. Section number changed from 308 for FY 2022-23.</p>
308	<p><u>Alternative Courts Report.</u> Requires a status update from SCAO on alternative courts by April 1 of each year.</p> <p>Background: First included in FY 2008-09. In FY 2013-14, the word "pilot" was removed while the requirement for the report was maintained. Dropping the word "pilot" coincided with a funding increase for mental health courts. In FY 2015-16, other alternative courts were added in place of just the mental health courts. Section number changed from 309 for FY 2022-23.</p>
309	<p><u>Oral Fluid Testing Program.</u></p>
309(1)	Requires the State Court Administrative Office to use \$100,000 of the funds appropriated for problem solving courts for a veterans treatment court to investigate the effectiveness of oral fluid testing to determine compliance with prescription compliance.
309(2)	Requires a report by April 1 on the number of programs established, number of participants, and the rearrest of participants.
	<p>Background: First included for FY 2020-21 as section 403. Moved to section 310 for FY 2021-22 and added a reporting requirement. Section number changed from 310 for FY 2022-23.</p>
310	<p><u>Drug Court Program.</u></p>
310(1)	Provides criteria for the administration of the Drug Court Program. Funds shall be used to operate drug treatment court programs. Funds may be used in connection with Federal, State, and local funding sources.
310(2)	Requires allocation of sufficient funds for the Michigan Judicial Institute to provide in-state training, including training of new drug court judges.
310(3)	Provides that for planning and implementation grants, consideration for prioritization may be given to those courts where higher instances of substance abuse cases are filed.
310(4)	Establishes priority for the \$1.5 million in Federal Byrne grant funding to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the Department of Corrections.

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Section Number	Description and History
	<p>Background: A version of this language was first included in the FY 1998-99 Supplemental Appropriation Bill (1999 PA 137) that first provided funding for the State Drug Court Program. Subsections 3 and 4 were added in FY 2001-02. Until FY 2002-03 the language included grant eligibility for existing drug court programs if Federal funds were no longer available. A five-year limit on funding was added in FY 2002-03 and removed in FY 2007-08. Section number changed from 311 for FY 2022-23.</p>
311	<p><u>Parental Rights Restoration Act Statistical Report.</u> Requires the State Court Administrative Office to produce a statistical report regarding the implementation of the Parental Rights Restoration Act as it pertains to minors seeking a court-issued waiver of parental consent and the number of petitions granted under section 208.</p> <p>Background: First included in FY 2000-01. The section originally required statistical detail by county. Commencing in FY 2002-03, reporting was on a statewide basis. Section number changed from 312 for FY 2022-23.</p>
312	<p><u>Swift and Sure Sanctions Program.</u> States that the funds designated in part 1 for the swift and sure sanctions program shall be used for distributing grants in accordance with the swift and sure sanctions act and that of the funding, up to \$100,000 shall be available for SCAO administrative costs. SCAO shall be required to submit a report that contains information on the number of offenders participating and the recidivism rate among Courts receiving funds.</p>
312(2)	<p>Requires the State Court Administrative Office, in cooperation with the department of corrections, to submit a report by April 1 that outlines the number of program participants, criminal history of program participants, recidivism rates of program participants, and program descriptions.</p> <p>Background: Funding for Swift and Sure Sanctions was first included in FY 2011-12, when the Judiciary received an IDG of \$1.0 million from the MDOC. In FY 2012-13, the IDG was eliminated and the \$1.0 million was included as general fund dollars, and then the Senate and later the Conference added an additional \$5.0 million to the line to bring total funding to \$6.0 million. The FY 2012-13 budget also included a fund shift that resulted in this line being partially supported by Court of Appeals filing/motion fees (and the Court of Appeals being fully general fund supported). In FY 2013-14 the funding for the program remained unchanged from the prior year. In FY 2011-12, the boilerplate restricted the grants to courts that both had drug courts and were unified trial courts. In FY 2012-13, the boilerplate was revised to say drug courts OR unified trial courts, which made many more courts eligible (which was consistent with the increased funding levels). In FY 2013-14, the boilerplate was again updated to be consistent with the Probation Swift and Sure Sanctions Act, which had passed during FY 2012-13 and gave statutory guidance to the program. In FY 2014-15, modified the reporting requirement to direct SCAO only to report on the progress of the program. In FY 2015-16, funding amount was reduced by \$1.75 million, from \$6.0 million to \$4.25 million. In FY 2016-17, funding was again reduced from \$4.25 million to \$4.0 million and \$500,000 of the funding was directed to be used only for counties that had sentenced more than 325 individuals to prison in the previous year. Amended in FY 2017-18 to remove dollar amount funded and change to "the funds designated for the program". Subsection (2) amended for FY 2019-20.</p> <p>Section number changed from 320 for FY 2022-23.</p>
313	<p><u>Legal Self-Help Website.</u> It is the intent of the Legislature that the judiciary supports a statewide legal self-help website. The SCAO is tasked with reporting to the legislature on the costs, savings, and content usage, form completion and user feedback.</p>

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	<p>Background: First included in FY 2011-12. The creation of the site was funded by the State Bar Foundation, although SCAO staff contributed their time and expertise through collaboration. In FY 2013-14, the second part requiring a report on the effectiveness and the associated cost savings was added. In FY 2014-15, the reporting requirement was modified to clarify that SCAO should report only those metrics it has the ability to track. Section number changed from 321 for FY 2022-23.</p>
314	<p><u>SADO Funding.</u> If Byrne grant funding is awarded in excess of the amount appropriated in part 1, SADO is authorized to receive and expend funds up to \$250,000 which they would receive via IDG from department of state police (MSP). If SADO receives funding from the Federal Department of Justice (DOJ), SADO is authorized to receive and expend those funds up to \$300,000.</p> <p>Background: The first part about Byrne grant/MSP funding was first included in FY 2011-12. The section was revised in FY 2013-14 to include the second part regarding DOJ funding. The section was amended in FY 2020-21 to allow SADO to receive federal funding in excess of the amount appropriated in part 1. Section number changed from 322 for FY 2022-23.</p>
315	<p><u>Medication-Assisted Treatment Program.</u></p>
315(1)	The Judiciary is required to maintain a medication-assisted treatment program to provide treatment for opioid-addicted and alcohol-addicted individuals who are referred to and voluntarily participate in the medication-assisted treatment program.
315(2)	Requires a report by February 1 that includes itemized spending by court, the number of participants, and statistics that indicated average program participation.
315(3)	States a goal for the program: that participants will be free of narcotic addiction prior to ending participation.
	<p>Background: First included in FY 2016-17. Section number was changed from 403 in FY 2017-18. Also, removed references to "pilot". A reporting requirement was added for FY 2021-22. Subsection (3) was added for FY 2022-23. Section number changed from 324 for FY 2022-23.</p>
401	<p><u>Montgomery v Louisiana Compliance.</u></p>
401(1)	The State Appellate Defender Office must increase attorneys and support staff to ensure competent, resourced, and supervised counsel in cases involving the resentencing of juvenile lifers.
401(2)	The State Appellate Defender Office shall submit a report by December 31 that includes a calculation of hours spent and focus on incremental costs associated with investigating and conducting a robust examination of each case, with particular emphasis on those costs that may be avoided after the cases have been disposed.
	<p>Background: First included in FY 2016-17. Reporting date moved from September 30 beginning in FY 2022-23. Section number changed from 402 for FY 2022-23.</p>

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402	<p><u>Statewide Case Management System.</u> This one-time appropriation is included for FY 2022-23 as a work project. This means the entire amount of the appropriation (\$150 million) need not be spent in one fiscal year. SCAO will, instead, have until September 30, 2027 to expend the entire amount to institute a statewide system for all courts. This will allow for full access across state agencies with authorization, including corrections, enforcement, prosecution, and judges.</p> <p>Background: SCAO originally asked for \$175.0 million. Most court systems (by county) are already in the Judicial Information System (JIS), but a handful are not, including some of the larger counties. Once it's up and running, counties that are currently using commercial vendors for case management systems should see decreased administrative costs.</p>